

Application number
(for FCA use only)

Form H - Notification of Disciplinary Action relating to *conduct rules staff* (other than *SMF managers*) in *SMCR firms*

FCA Handbook Reference: SUP 15 Annex 7R

10 December 2018

Name of *firm*
(as entered in 2.01)

Financial Conduct Authority
12 Endeavour Square
Stratford
London E20 1JN
United Kingdom
Telephone +44 (0) 845 606 9966
Facsimile +44 (0) 207 066 0017
E-mail firm.queries@fca.org.uk
Website <http://www.fca.org.uk>

Contact for this notification

1.01	Title	
1.02	First Name	
1.03	Surname	
1.04	Job Title	
1.05	Business address	
1.06	Post code	
1.07	Phone number	
1.08	Email address	
1.09	Mobile No	

2.01 Name of *firm*

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2.02 *Firm* Reference Number (FRN)

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Fitness and Propriety - Notifications under section 64C of the Financial Services and Markets Act 2000

Section 3

This section should be completed by a *firm* to:

- (a) make an annual notification of disciplinary action (as defined in section 64C (Requirement for *relevant authorised persons* to notify regulator of disciplinary action) of the Financial Services and Markets Act 2000) if the reason for taking the disciplinary action is any action, failure to act or circumstance that amounts to a breach of the individual conduct rules set out in the *FCA's Code of Conduct (COCON) Sourcebook*; or
- (b) make a follow up notification to update a notification that has been previously made by the *firm* in relation to (a); or
- (c) confirm that there is nothing to be reported under (a) or (b)

Is the *firm* making a nil return (see paragraph (c) of the introduction to this section)?

YES NO

If the *firm* has answered "Yes", please go straight to Section 5. If the *firm* has answered "No", please go to Section 4.

Firms must notify us if they have taken disciplinary action against a *person* subject to our conduct rules between last September and August where that person was in breach of our conduct rules. Disciplinary action against a *person* means issuing a formal written warning, suspension or dismissal of that *person*, or reducing or recovering any of that *person's remuneration*. As a reminder, disciplinary actions against *SMF managers* for a breach of our conduct rules must be reported to us within 7 days via the appropriate form.

A *credit union* is not required to make a nil return (see *SUP 15.11*). If a *credit union* has nothing to notify for a particular reporting period, it should not send a Form H to the *FCA* for that period.

Disciplinary Action Details

Section 4

For each individual that is the subject of a notification under this Form, please provide the details requested below, in so far as applicable.

A	B	C	D	E	F	G	H	I	J	K	L	M
Title	Surname	Forename(s)	IRN <i>(See note 1)</i>	Date of Birth <i>(See note 1)</i>	National Insurance Number <i>(See note 1)</i>	Passport Number <i>(See note 1)</i>	Nationality <i>(See note 1)</i>	Job Title / Position And Department / Division	Has the person, at any time during the reporting period, been (a) certified to perform an FCA specified significant harm function? If yes, please specify which one(s) or (b) a standard non-executive director? <i>(see note 2)</i>	Please identify the relevant conduct rule(s) that have been breached which form the basis of the disciplinary action taken <i>Refer to Conduct Rules</i>	Please provide more information in relation to the conduct rule(s) breached. Please also state here whether the firm is updating a previous notification or is making a new notification. <i>Free text description (2000 characters only. Anything greater than this please provide an attachment.)</i> <i>(See note 3)</i>	Please provide information as to the disciplinary action taken: <ul style="list-style-type: none"> issuing of a formal written warning suspension or dismissal of the person reduction or recovery of any of the person's remuneration <i>Free text description (2000 characters only. Anything greater than this please provide an attachment.)</i> <i>(See note 4)</i>
<p>Note 1:</p> <p>(a) If an <u>Individual Reference Number (IRN)</u> is available for a <i>person</i> about whom a notification is being made, please complete column D but do not complete columns E, F, G or H.</p> <p>(b) If an IRN is not available for a <i>person</i> about whom a notification is being made, but that <i>person</i> has a national insurance number, please complete columns E and F but do not complete columns G or H.</p> <p>(c) If neither an IRN nor a national insurance number is available for a <i>person</i> about whom a notification is being made, please complete columns E, G and H.</p> <p>Note 2: If the answer is Yes, please state which of the listed functions the <i>person</i> performed. The term "<i>standard non-executive director</i>" is defined in the Glossary.</p> <p>Note 3: If the <i>firm</i> is updating a previous notification, please confirm this in this column but include the details in column M (see note 3).</p> <p>Note 4:</p> <p>(a) If the <i>person</i> about whom the notification is being made is appealing against the <i>firm's</i> decision, please include details here.</p> <p>(b) If the <i>firm</i> is updating a previous notification, please include the details in this column. This includes (1) any appeal made by the subject of the notification subsequent to a previous notification or (2) the outcome of any appeal previously notified.</p> <p>(c) The <i>firm</i> should specify which of the listed types of disciplinary action it has taken.</p>												

Declaration

It is a criminal offence, knowingly or recklessly, to give us information that is materially false, misleading or deceptive. Even if you believe information has been provided to us before (whether as part of another notification or otherwise) or is in the public domain, you must nonetheless disclose it clearly and fully in this form and as part of this notification. If there is any doubt about the relevance of information, it should be included.

The *firm* confirms that the information provided is accurate and complete to the best of the *firm's* knowledge. The *firm* will notify the *FCA* if there is a material change to the information provided. In addition to other regulatory responsibilities, *firms* have a responsibility to disclose to the *FCA* matters of which it or they would reasonably expect to be notified. Failure to notify the *FCA* of such information may lead to the *FCA* taking disciplinary or other action against the *firm*. The *firm* authorises the *FCA* to make such enquiries and seek such further information as it thinks appropriate to verify information that it considers relevant to this notification. The *firm* understands that the *FCA* may require it to provide further information or documents at any time.

For the purposes of complying with data protection legislation, please read the *FCA's* privacy notice at <https://www.fca.org.uk/data-protection>. This notice will tell you what to expect when the *FCA* collects personal information, including how and why we use your personal information and who to contact if you have any queries or wish to exercise your rights.

By signing below, the person submitting this form on behalf of the *firm* confirms that this form is accurate and complete to the best of their knowledge and they have read and understood the notes to this form.

Name of the *firm*

Name of *person* signing on behalf of the *firm*

Position

Signature

Date